

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

Aug 14 2020

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Diane S. Goodstein, Circuit Court Judge

Appellate Case No. 2020-000162

Pinnacle Bank, as successor in interest
to Bank of North Carolina, previous
successor in interest to Harbor National
Bank,

Plaintiff,

v.

Anthony Whitfield and Cindy Whitfield,

Defendants.

AND

Anthony Whitfield,

Counterclaimant,

v.

David Swanson,

Counterclaim Defendant,

Of whom, Anthony Whitfield is the Appellant and David Swanson is the Respondent.

**RESPONDENT'S DESIGNATION OF MATTERS
TO BE INCLUDED IN THE RECORD ON APPEAL**

Respondent David Swanson proposes the following to be included in the Record on
Appeal:

1. Order Granting Respondent's Motion to Strike Jury Demand and Bifurcate, entered
October 16, 2019
2. Order Denying Appellant's Motion to Alter or Amend, entered January 6, 2020

3. Order Granting in Part Respondent's Motion for Summary Judgment, entered November 8, 2017
4. Plaintiff's Complaint, filed September 7, 2012
5. Appellant's Third Amended Answer, Affirmative Defenses and Counterclaims, filed August 27, 2014
6. Plaintiff's Reply to Third Amended Answer, Affirmative Defenses and Counterclaims, filed September 10, 2014
7. Appellant's Fifth Amended Answer, Affirmative Defenses, Crossclaim and Counterclaims, filed January 8, 2016
8. Respondent's Answer to Appellant's Fifth Amended Answer, Affirmative Defenses, Crossclaim and Counterclaims, filed February 18, 2016
9. Transcript of Hearing, October 7, 2019
10. Transcript of Hearing, March 21, 2018, pp. 14-20
11. Deposition of Scott Warren, November 13, 2013, pp. 46-49
12. Deposition of David Swanson, May 13, 2014, pp. 15-22
13. Deposition of Anthony Whitfield, June 1, 2019, p. 33, pp. 45-46, pp. 225.
14. Respondent's Motion to Strike Jury Demand and Bifurcate with Exhibits, filed March 8, 2019
15. Appellants Motion for Separate Trials, filed October 15, 2019
16. Appellant's Rule 52(b) Motion to Amend Findings and Rule 59(e) Motion to Alter or Amend Order on Motion to Bifurcate Trial, filed October 18, 2019
17. Respondent's Memorandum in Opposition to Appellant's Rules 52(b) and 59(e) Motion with exhibits, filed November 6, 2019

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,



DAVID W. OVERSTREET
MICHAEL B. McCALL
STEVEN R. KROPSKI
Earhart Overstreet LLC
P.O. Box 22528
(843) 972-9404

Attorneys for Respondent

August 14, 2020